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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,328	08/08/2001	Shell S. Simpson	10007687-1	1962
22879 7590 06/09/2009 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400				
EXAMINER BILGRAMI, ASGHAR H				
ART UNIT 2443		PAPER NUMBER		
NOTIFICATION DATE 06/09/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

**Application No.**

09/923,328

**Applicant(s)**

SIMPSON, SHELL S.

**Examiner**

ASGHAR BILGRAMI

**Art Unit**

2443

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 3/5/2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 3/5/2009 has been entered.

### ***Specification***

2. Claims 24, 33 & & 37 are objected to because of the following informalities: Claim language cites the term "a machine readable medium" which is not addressed, disclosed or defined in applicant's specification. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 20 is rejected under 35 U.S.C. 101 because the claim discloses a program product which is not embodied on a computer/machine storage medium.

Therefore claim 20 is claiming software which is non-statutory. Appropriate amendment in light of the disclosure is required to overcome this rejection.

5. Claims 21-23 are also rejected under 35 U.S.C. 101 by virtue of their dependence on claim 20.

6. Claims 24, 33 & 37 are rejected under 35 U.S.C. 101 because the claims language claims a program product (I.E software) that is not embodied on a computer/machine readable storage medium. Appropriate amendment in light of the disclosed specification is required to overcome this rejection.

7. Claims 25-32 are also rejected under 35 U.S.C. 101 by virtue of their dependence on claim 24.

8. Claims 34-36 are also rejected under 35 U.S.C. 101 by virtue of their dependence on claim 33.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Treptow et al (U.S. Pub No. 2002/0138564 A1) and Lahey et al (U.S. Pub No. 2005/0228711A1).

11. As per claims 1, 5, 14, 18, 19, 20, 24, 33 & 37 Treptow disclosed a method for monitoring a web-based service, comprising the steps of: receiving automatically at a client a service reference to a status of a job in a network service (paragraphs 19-23, 41, 59 & 62), the service reference including data identifying a location {URL of the printer} where a status page for the job can be obtained (page6, paragraph.81), adding the service reference to a bookmark list on the client (paragraph. 88); determining the status of the job; and removing automatically the service reference from the bookmark list when the job is completed by the network service, wherein the determining step comprises receiving a message from the service indicating an event (paragraph.82, 88 & 89). However Treptow did not explicitly disclose wherein the removing step includes the step of automatically removing the service reference if no message indicating an event is received from the network service for a predetermined period of time.

In the same field of endeavor Lahey disclosed wherein the removing step includes the step of automatically removing the service reference if no message indicating an event is received from the network service for a predetermined period of time (paragraph.77). It would have been obvious to one in the ordinary skill in the art at the time the invention was made to have incorporated the removal of service reference (job status information) if no message indicating an event is received as disclosed by Lahey in the method of monitoring a web-based service as disclosed by Treptow in order to upgrade the status of the service reference resulting in a most up to date and pertinent information regarding the status of the jobs to the user.

12. As per claims 2 & 21 Treptow-Lahey disclosed the method as defined in claim 1, wherein the network service is a printer service, and the job is a print job (Treptow, paragraphs. 9 & 41).

13. As per claims 3 & 22 Treptow-Lahey disclosed the method as defined in claim 1, wherein the service reference is a URL to a status page for the network service (Treptow, paragraphs 86 & 87).

14. As per claims 4 & 23 Treptow-Lahey disclosed the method as defined in claim 1, wherein the service reference is provided when the network service is accessed (Treptow, paragraphs.41, 59).

15. As per claims 6 & 25 Treptow-Lahey disclosed the method as defined in claim 5, wherein the bookmark list is maintained within a user profile in the user's personal imaging repository (Treptow, paragraphs 62, 81 & 82).

16. As per claims 7 & 26 Treptow-Lahey disclosed the method as defined in claim 1, further comprising the step of determining the status of the job (Treptow, paragraphs.41& 59).

17. As per claims 8 & 27 Treptow-Lahey disclosed the method as defined in claim 7, wherein the determining step comprises querying the network service to determine if a job impediment has occurred (Treptow, paragraph.85).

18. As per claims 9 & 28 Treptow-Lahey disclosed the method as defined in claim 7, wherein the determining step comprises querying the network service to determine an indication of what amount of the job is complete (Treptow, paragraph.84).

19. As per claims 10 & 29 Treptow-Lahey disclosed the method as defined in claim 7, wherein the determining step comprises receiving a message from the network service indicating an event (Treptow, paragraphs.53 & 62).

20. As per claims 11 & 30 Treptow-Lahey disclosed the method as defined in claim 10, wherein the receiving a message step comprises receiving the message at a bookmark management software (Treptow, paragraphs.36, 37 & 70).

21. As per claims 12 & 31 Treptow-Lahey disclosed the method as defined in claim 10, wherein the receiving a message step comprises receiving a message of one or more of the following: print job completed, copies printed, and error (Treptow, paragraphs.20 & 61).

22. As per claims 13 & 32 Treptow-Lahey disclosed the method as defined 1, further comprising storing the service reference to a storage associated with the user (Treptow, paragraph.60).

23. As per claims 15 & 34 Treptow-Lahey disclosed the method as defined in claim 14, wherein adding a clickable reference comprises adding a plurality of clickable references to be displayed on a user screen, each clickable reference associated with a different service reference for opening a different status web page having information about the status of its respective job (Treptow, paragraphs 86, 87 & 89).

24. As per claims 16 & 35 Treptow-Lahey disclosed the method as defined in claim 1, further comprising the step of adding a window associated with the network service to



a user screen to display therein a status web page with direct or indirect information about the status of at least one job (Treptow, paragraphs 71, 86, 87 & 89).

25. As per claims 17 & 36 Treptow-Lahey disclosed the method as defined in claim 1, wherein the bookmark list lists only job status service references (Treptow, paragraphs. 70, 81 & 82).

### ***Response to Arguments***

26. Applicant's arguments filed 1/27/2009 have been fully considered but they are not persuasive.

27. Applicant argued that the newly added limitation is disclosed by neither Treptow nor Lahey.

As to applicant's argument examiner has cited pertinent paragraph of Treptow for the newly added limitation in the rejection above.

28. Applicants argued that in claim 5 the examiner fails to address the explicit use of the Phrase "personal image repository" in neither Treptow nor Lahey.

As to applicants argument the use of term "personal imaging repository" as presented in claim 5 by the applicant in relation to the claim language is interpreted by the examiner as the cache or memory of a browser or Graphical User interface (GUI) script that displays a service reference to a status of a job. Treptow discloses Administrative web pages 124 allow remote configuration and monitoring of a system by administrative users. Administrative Panel web page 228 provides plurality of tabs to keep track of the print jobs by various categories (paragraphs 87 & 88).

### ***Conclusion***

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
30. Cocotis et al (U.S. 2003/0078965 A1) disclosed output management system and method for enabling printing via wireless device.
31. Igarashi et al (U.S. 7,444,394 B2) disclosed network database control device and method thereof.
32. Kean et al (U.S. 6,992,794 B2) disclosed managing print Jobs.
33. Wood et al (U.S. 6,453,127 B2) disclosed establishment at a remote location of an internet./intranet user interface to a copier/printer.

34. Stewart et al (U.S. 6,714,964 B1) disclosed system, method and recordable medium for printing services over a network.
35. Hayward et al (U.S. 7,031,004 B1) disclosed web print submission from within an application.
36. Mathieson (U.S. 6,976,072 B2) disclosed method and apparatus for managing job queues.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASGHAR BILGRAMI whose telephone number is (571)272-3907. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L.M. Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. B./  
Examiner, Art Unit 2443

/George C Neurauter, Jr./  
Primary Examiner, Art Unit 2443